

**REMARKS:**

**Specification Objections**

The specification is objected to because it contains embedded hyperlinks. Applicants did not file the specification electronically but filed it as sheets of paper. If the Examiner's copy of the specification contains embedded hyperlinks, the hyperlinks must have been embedded when the Examiner's copy was made based on the submitted paper specification.

**Claim Objections**

In the above amendment, Applicants have replaced the original claims with new claims. It is believed that the new claims obviate the claim objections.

**Claim Rejection under 35 USC 112**

In the above amendment, Applicants have replaced the original claims with new claims. It is believed that the new claims obviate the claim rejections.

**Claim Rejections under 35 USC 103(a)**

In the above new claims, claims 40 and 73 are the only independent claims. In claim 40, the application distribution system stores identifications of applications available for download by users of the user terminals and identifications of application providers who provide the applications. In other words, the present invention deals with multiple applications provided by multiple application providers. The system also comprises a usage table configured to record usages of the applications by the users. Usages of an application are, for instance, a number of downloads of the application (claim 43), time lengths during which the application is executed (claim 44) and a number of times the application is activated on user terminals (claim 46).

The system further comprises a fee table configured to record fees collected from the users who each pay a fixed amount of fee periodically. In the

present invention, the users each pay a fixed amount of fee periodically. The fees are not variable for the users. The system further comprises a calculator configured to calculate allocations of the fees collected from the users among the application providers according to at least one of the usages of the applications by the users recorded in the usage table. Thus, in the present invention, fixed fees are collected from the users and allocated among the application providers according the usages of the applications provided by the application providers. This feature of the present invention is neither disclosed nor taught by the cited references.


The Examiner takes the position that Matsuyama teaches allocations of fees. However, Matsuyama teaches only that a fee is allocated between a content provider who provides a content and a person who has copyright on the content, but the allocation of the fee is not based on usage of the content.

Matsuyama also teaches a business model in which a content provider provides a content, a network operator distributes the content, and a user uses the content and pays a fee to a financial institution. In this business model, the collected fee is distributed among the content provider, the operator and the financial institution. But again, the allocation of the fee is not based on the usage of the content. It is clear that there is nothing in Matsuyama that shows the feature of the present invention in which fixed fees are collected from the users and allocated among the application providers according the usages of the applications.

The Examiner cites Sako et al. Sako is also silent about the feature of the present invention. Therefore, the present invention should be allowable over the cited references.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Tadashi Horie", written over a horizontal line.

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